

**\*\* NOTICE:** This is only a preliminary draft of the City-County Council agenda prepared by the Council staff pursuant to Sec. 161-5(b) and may not be complete. The President of the Council has not determined the order of business for this meeting pursuant to Sec. 151-71. The agenda will be final only when approved by the Council at the meeting.

# **AGENDA**

## **CITY COUNTY COUNCIL**

### **AND THE**

## **INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION**

### **SPECIAL SERVICE DISTRICT COUNCILS**

**January 28, 2008**

**7:00 P.M.**

- I. PRAYER AND PLEDGE OF ALLEGIANCE - Councillor Cain**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – January 7, 2008**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 42, 2008 (Special Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Pfisterer  
REFERRED TO: Committee of the Whole  
DIGEST: recognizes Jay Staton on attaining the rank of Eagle Scout

PROPOSAL NO. 43, 2008 (Special Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Pfisterer  
REFERRED TO: Committee of the Whole  
DIGEST: recognizes Evan Fetherolf on attaining the rank of Eagle Scout

## **VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 44, 2008 (Special Resolution)

INTRODUCED: 01/28/2008 BY: Councillors Bateman and Oliver

REFERRED TO: Committee of the Whole

DIGEST: recognizes the Country Kitchen Soul Food Place for their efforts during the Christmas holiday

PROPOSAL NO. 1, 2008 (Council Resolution)

INTRODUCED: 01/07/2008 BY: Councillor Cockrum

REFERRED TO: Rules and Public Policy Committee

DIGEST: appoints Curtis Scott Ratliff to the Common Construction Wage Committee for Decatur Township

COMMITTEE ACTION:

01/15/2008 Do Pass 8-0

PROPOSAL NO. 5, 2008 (Council Resolution)

INTRODUCED: 01/07/2008 BY: Councillors Vaughn, Plowman, Pfisterer, McQuillen and Speedy

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves the Mayor's appointment of Scott C. Newman as the Director of the Department of Public Safety

COMMITTEE ACTION:

01/09/2008 Do Pass 8-0

PROPOSAL NO. 7, 2008 (Council Resolution)

INTRODUCED: 01/07/2008 BY: Councillor McQuillen

REFERRED TO: Municipal Corporations Committee

DIGEST: appoints Robert E. Cockrum to the Capital Improvement Board of Managers

COMMITTEE ACTION:

01/22/2008 Do Pass 6-0

## **VIII. INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 12, 2008 (Council Resolution)

INTRODUCED: 01/28/2008 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Jennifer Ruby to the Information Technology Board

PROPOSAL NO. 13, 2008 (Council Resolution)

INTRODUCED: 01/28/2008 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Susan Swayze to the Audit Committee

PROPOSAL NO. 14, 2008 (Council Resolution)

INTRODUCED: 01/28/2008 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: nominates Terry Dilk for appointment to the Beech Grove Economic Development Commission

## **VIII. INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 15, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Cardwell  
REFERRED TO: Economic Development Committee  
DIGEST: appoints Robert Gallant to the Indianapolis Economic Development Commission

PROPOSAL NO. 16, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Cardwell  
REFERRED TO: Economic Development Committee  
DIGEST: appoints Patricia Chastain to the Indianapolis City Market Corporation Board of Directors

PROPOSAL NO. 17, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Cardwell  
REFERRED TO: Economic Development Committee  
DIGEST: appoints Richard D. VanParis, II to the Indianapolis City Market Corporation Board of Directors

PROPOSAL NO. 18, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Plowman  
REFERRED TO: Metropolitan Development Committee  
DIGEST: appoints Timothy Ping to the Metropolitan Development Commission

PROPOSAL NO. 19, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Plowman  
REFERRED TO: Metropolitan Development Committee  
DIGEST: appoints Bradley A. Klopfenstein to the Metropolitan Board of Zoning Appeals, Division I

PROPOSAL NO. 20, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Plowman  
REFERRED TO: Metropolitan Development Committee  
DIGEST: appoints Timothy J. Maguire to the Metropolitan Board of Zoning Appeals, Division I

PROPOSAL NO. 21, 2008 (General Ordinance)  
INTRODUCED: 01/28/2008 BY: Councillor Plowman  
REFERRED TO: Metropolitan Development Committee  
DIGEST: amends the Code to add "religious use" as a permitted use in the commercial zoning district, to make the definition uniform throughout the Code and to make related amendments

PROPOSAL NO. 22, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Day  
REFERRED TO: Parks and Recreation Committee  
DIGEST: appoints Diana M. Hall to the Board of Parks and Recreation

PROPOSAL NO. 23, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillors Vaughn and Hunter  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Astrid Poston to the Citizens Police Complaint Board

## **VIII. INTRODUCTION OF PROPOSALS**

- PROPOSAL NO. 24, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Gary A. Jennings to the Citizens Police Complaint Board
- PROPOSAL NO. 25, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Caress S. Garten to the Animal Care and Control Board
- PROPOSAL NO. 26, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Cockrum  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints William Dowden to the Board of Public Safety
- PROPOSAL NO. 27, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillors Cockrum and Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Kenneth Giffin to the Board of Public Safety
- PROPOSAL NO. 28, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Jennifer Lukemeyer to the Marion County Public Defender Board
- PROPOSAL NO. 29, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Jon M. Bailey to the Marion County Public Defender Board
- PROPOSAL NO. 30, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Paul Page to the Marion County Public Defender Board
- PROPOSAL NO. 31, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Cockrum  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Bradley Battin to the Indianapolis-Marion County Forensic Board
- PROPOSAL NO. 32, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Michael Biberstine to the Juvenile Detention Advisory Board

## **VIII. INTRODUCTION OF PROPOSALS**

### **PROPOSAL NO. 33, 2008 (Fiscal Ordinance)**

INTRODUCED: 01/28/2008 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an increase of \$266,667 in the 2008 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund salaries and fringes for staff in the Community Prosecution Division, funded through a grant of Byrne Memorial Funds by the Indiana Criminal Justice Institute

### **PROPOSAL NO. 34, 2008 (Fiscal Ordinance)**

INTRODUCED: 01/28/2008 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appropriates \$25,000 in the Budget of the Marion County Justice Agency (Drug Free Community Fund) to fund a grant awarded to Drug Free Marion County, Inc. to cover the administrative expenses of that organization

### **PROPOSAL NO. 35, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: approves the Mayor's appointment of David Sherman as the Director of the Department of Public Works

### **PROPOSAL NO. 36, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillors Cain and Hunter

REFERRED TO: Public Works Committee

DIGEST: appoints Harrison R. Smith to the Board of Public Works

### **PROPOSAL NO. 37, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: appoints Gary W. Whitmore to the Board of Public Works

### **PROPOSAL NO. 38, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Plowman

REFERRED TO: Rules and Public Policy Committee

DIGEST: appoints Jennifer L. Ping to the Alcohol Beverage Board of Marion County

### **PROPOSAL NO. 39, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillors Lutz and Pfisterer

REFERRED TO: Rules and Public Policy Committee

DIGEST: appoints Dean T. Farmer to the Cable Franchise Board

### **PROPOSAL NO. 40, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Lutz

REFERRED TO: Rules and Public Policy Committee

DIGEST: appoints Peter Nugent to the Board of Ethics

### **PROPOSAL NO. 41, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillors Lutz and Pfisterer

REFERRED TO: Rules and Public Policy Committee

DIGEST: approves the Mayor's establishment of a charter school, "The Indianapolis Project School," by issuing a charter to The Project School, Inc.

**IX. SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 45, 2008 (Rezoning Ordinance)

INTRODUCED: 01/28/2007 BY: Councillor Plowman

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on January 17, 2008

PROPOSAL NO. 46, 2008 (Rezoning Ordinance)

INTRODUCED: 01/28/2007 BY: Councillor Plowman

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on January 17, 2008

PROPOSAL NOS. 47-48, 2008 (Rezoning Ordinances)

INTRODUCED: 01/28/2007 BY: Councillor Plowman

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on January 17, 2008

PROPOSAL NOS. 49-54, 2008 (Rezoning Ordinances)

INTRODUCED: 01/28/2007 BY: Councillor Plowman

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on January 16, 2008

**X. SPECIAL ORDERS - PUBLIC HEARING**

**XI. SPECIAL ORDERS - UNFINISHED BUSINESS**

**XII. SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 2, 2008 (General Ordinance)

INTRODUCED: 01/07/2008 BY: Councillors Mansfield, Lutz, Hunter, Day and Speedy

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends Chapter 151 of the Code regarding the duties of the general counsel and caucus attorneys with regard to representation of council members on private matters

COMMITTEE ACTION:

01/15/2008 Do Pass As Amended 8-0

**XIII. SPECIAL SERVICE DISTRICT COUNCILS**

**XIV. NEW BUSINESS**

## **XV. ANNOUNCEMENTS AND ADJOURNMENT**

*The President*                      The docketed agenda for this meeting of Council having been completed, the Chair will now entertain motions for adjournment.

*President's Designee*        Mr. President.

*The President*                      The Chair recognizes Councillor Sanders.

*The Councillor*                      Mr. President, I have been asked to offer the following motion for adjournment:

by Councillor Day in memory of Mildred Neel.

by Councillor Pryor in memory of Gladys Sutton and Francis Johnson.

by Councillor Oliver in memory of Odis Radcliff, Jr. and Rev. Dr. James Morris Brown.

by Councillor Cain in memory of Anna Parker and Faye Morris.

by All Councillors in memory of Lyman Battle, Philip Harris, Richard Craig, Benita McIntire, Floyd Swails and Jack Hacker.

by Councillor Sanders in memory of Jerry Stein, Dr. Michael Hart and Kathleen Breinlich.

by Councillors Pryor and Sanders in memory of John "Don" Bardon.

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action.

*The President*                      Thank you, Councillor Sanders. Hearing no objections, the motion is received and the requests are so ordered.

Hearing no further motions, we are adjourned.

## **XVI. PENDING PROPOSALS**

PROPOSAL NO. 545, 2007 (Rezoning Ordinance)

INTRODUCED: 12/03/2007 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 7, 4460 Guion Road (2006-ZON-104/2006-DP-004)

COUNCIL ACTION:

12/03/2007 Scheduled for Public Hearing on December 17, 2007

12/17/2007 Postponed until February 11, 2008

## **XVI. PENDING PROPOSALS**

### **PROPOSAL NO. 3, 2008 (General Ordinance)**

INTRODUCED: 01/07/2008 BY: Councillor Cockrum

REFERRED TO: Rules and Public Policy Committee

DIGEST: seeks approval of a petition to establish the Town of Fayette, in Boone County, Indiana, which proposed town is within four miles of the corporate boundaries of the consolidated city, pursuant to IC 36-5-1-7(a)

COMMITTEE ACTION:

01/15/2008 Tabled 8-0

### **PROPOSAL NO. 4, 2008 (Council Resolution)**

INTRODUCED: 01/07/2008 BY: Councillors Vaughn, Plowman, Brown and Pfisterer

REFERRED TO: Rules and Public Policy Committee

DIGEST: approves the Mayor's appointment of Olgen Williams as the Deputy Mayor for Public and Neighborhood Affairs

COMMITTEE ACTION:

01/15/2008 Postpone until 2/5/2008 8-0

### **PROPOSAL NO. 6, 2008 (General Ordinance)**

INTRODUCED: 01/07/2008 BY: Councillors Vaughn, Lutz, Pfisterer, Day, Speedy, McQuillen, Cardwell and Plowman

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to establish the Indianapolis Metropolitan Police Department as the police division of the department of public safety and makes corresponding technical corrections